



Land Use, Zoning, and Property Value

Purpose

This brochure is designed to explain the Bureau of Water's position on Land Use, Zoning, and Property Value.

Land Use and Zoning

Land use is how individuals use their property. Zoning and other related functions are local government plans that legally restrict land use to certain types of uses throughout the areas of the local government's jurisdiction. Property owners, absent any zoning restrictions, have property rights which allow use of their property in any legal manner without regard to neighboring land use. Zoning ensures land uses are compatible with surrounding land use. Land use planning and zoning are the responsibility of local county and city governments with little, if any, state government involvement. Land use plans are developed for areas by local governments in conjunction with zoning restrictions.

Land use and zoning are NOT regulated by DHEC's Bureau of Water (Bureau) nor does the Bureau select sites for the various projects which are submitted to the Bureau for permit consideration. Permit applicants alone select their proposed sites. The Bureau of Water may offer advice to a permit applicant on a site which the applicant is considering but the final decision on site selection is the permit applicants.

If you are concerned with existing or proposed land use adjoining your property, the Bureau recommends that you contact your local government officials. These officials should be able to help you determine what courses of action are available to you to address your concerns. If they are unable to assist you because the local government has not adopted zoning or other land use restrictions, unfortunately, there is no solution to your land use concerns. Also, the Bureau recommends that you become involved with and work with your local governments on land use and zoning issues before land use and zoning arise as concerns in areas of geographical interest to you.

Property Value

All property owners are concerned with the value of their property. A number of factors affect property value and a discussion of these factors is beyond the scope of this fact sheet. While property value is a legitimate concern for a property owner, it is not a consideration in any permit decision made by the Bureau of Water. DHEC was created by the SC Legislature with the specific charges of protecting public health and the environment. Therefore, the Bureau has no legal basis to consider property value when making environmental permit decisions.

If you are concerned about property value, the Bureau recommends that you analyze the factors you think adversely affect the value of your property. If existing or proposed adjoining land use is one of these factors, you should contact your local government officials to determine what may be done to ensure protection of your property value. If environmental issues are one of the factors, you should contact the appropriate DHEC program area (Air, Land and Waste, or Water) or the appropriate Environmental Quality Control District Office to determine what may be done to ensure protection of your property value.

Bureau of Water Contacts

You can learn about Bureau of Water programs by visiting our website at www.scdhec.net/water or contacting us at 803-898-4300.